

THE WESTON FIRM
GREGORY S. WESTON
greg@westonfirm.com
1405 Morena Blvd., Suite 201
San Diego, CA 92110
Telephone: (619) 798-2006

Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL SMITH and JASON
FERGUSON, and on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

ELEVADO DRINKS, LLC, CHACO
FLACO DRINKS, LLC, HOP THE
WAVE BREWING COMPANY and
CHARLES MOORE,

Defendants.

Case No. 1:25-cv-00571-CDB

Pleading Type: Class Action

**PLAINTIFFS' NOTICE OF VOLUNTARY
DISMISSAL WITH PREJUDICE PURSUANT TO
FED. R. CI. P. 41(A)(1)(a)(i)**

Judge: The Honorable Christopher D. Baker

Action Filed: May 14, 2025

1 **TO THE CLEKR OF THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

2 Please take notice that, pursuant to Fed. R. Civ. P. 41(A)(1)(a)(i), Plaintiffs Michael Smith and
3 Jason Ferguson hereby voluntarily dismiss this action in its entirety with prejudice. No stipulation or order
4 of the Court is required to dismiss this case because the Defendants have not answered nor moved for
5 summary judgment.

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7 DATED: August 20, 2025

Respectfully Submitted,

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9 s/ Gregory S. Weston
10 **THE WESTON FIRM**
11 **GREGORY S. WESTON**
12 **Counsel for Plaintiffs**
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